

**PLANNING COMMISSION RESOLUTION 2003-044**  
**CONDITIONS OF APPROVAL - ADOPTED**  
**TENTATIVE PARCEL MAP 31253**  
**WINCHESTER DEVELOPMENT**  
**ADOPTED: JUNE 24, 2003**

**GENERAL**

1. The applicant agrees to defend, indemnify and hold harmless the City of La Quinta ("City"), its agents, officers and employees from any claim, action or proceeding to attack, set aside, void, or annul the approval of this Tentative Tract Map, or any Final Map recorded thereunder. The City shall have sole discretion in selecting its defense counsel. The City shall promptly notify the applicant of any claim, action or proceeding and shall cooperate fully in the defense.

This Tentative Parcel Map, and any Parcel Map recorded thereunder, shall comply with the requirements and standards of Government Code §§ 66410 through 66499.58 (the "Subdivision Map Act"), and Chapter 13 of the La Quinta Municipal Code ("LQMC).

The City of La Quinta's Municipal Code can be accessed on the City's Web Site at [www.la-quinta.org](http://www.la-quinta.org).

2. Prior to the issuance of any grading, construction, or building permit by the City, the applicant shall obtain the necessary clearances and/or permits from the following agencies;

Fire Marshal  
Public Works Department (Grading Permit, Improvement Permit)  
Community Development Department  
Riverside Co. Environmental Health Department  
Desert Sands Unified School District  
Coachella Valley Water District (CVWD)  
Imperial Irrigation District (IID)  
California Water Quality Control Board (CWQCB)

The applicant is responsible for all requirements of the permits and/or clearances from the above listed agencies. When the requirements include approval of improvement plans, the applicant shall furnish proof of such approvals when submitting those improvements plans for City approval.

3. The applicant shall comply with applicable provisions of the City's NPDES storm water discharge permit, Sections 8.70.010 et seq. (Stormwater Management and Discharge Controls), and 13.24.170 (Clean Air/Clean Water), LQMC; Riverside County Ordinance No. 457; and the State Water Resources Control Board's Order No. 99-08-DWQ:

- a. For construction activities including clearing, grading or excavation of land that disturbs less than five (5) acres of land, but which is part of a construction project that encompasses more than five (5) acres of land, the Permittee shall be required to submit a Storm Water Pollution Protection Plan ("SWPPP").
  - b. The applicant's SWPPP shall be approved by the City Engineer prior to any on or off-site grading being done in relation to this project.
  - c. The applicant shall ensure that the required SWPPP is available for inspection at the project site at all times through and including acceptance of all improvements by the City.
  - d. The applicant's SWPPP shall include provisions for all of the following Best Management Practices ("BMPs") (8.70.020 (Definitions), LQMC):
    1. Temporary Soil Stabilization (erosion control)
    2. Temporary Sediment Control
    3. Wind Erosion Control
    4. Tracking Control
    5. Non-Storm Water Management
    6. Waste Management and Materials Pollution Control
  - e. All erosion and sediment control BMPs proposed by the applicant shall be approved by the City Engineer prior to any onsite or offsite grading, pursuant to this project
  - f. The approved SWPPP and BMPs shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City.
4. Permits issued under this approval shall be subject to the provisions of the Infrastructure Fee Program and Development Impact Fee program in effect at the time of issuance of building permit(s).

#### **PROPERTY RIGHTS**

5. Prior to issuance of any permit(s), the applicant shall acquire or confer easements and other property rights necessary for the construction or proper functioning of the proposed development. Conferred rights shall include irrevocable offers to dedicate or grant access easements to the City for emergency services and for maintenance, construction and reconstruction of essential improvements.
6. The applicant shall acquire an easement across Lot G of Tract No. 27728 and across the remainder parcel shown on this tentative parcel map for access to Parcels 1 and 2 in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer. The applicant shall make provisions for continuous maintenance of the driveway from each parcel to the roadway and all

related landscaping by creation of a Homeowner's Association (HOA), or annexation into an existing HOA

7. The applicant shall offer for dedication those easements necessary for the placement of, and access to, utility lines and structures, drainage basins, mailbox clusters, park lands, and common areas on the Parcel Map.
8. The applicant shall furnish proof of easements, or written permission, as appropriate, from those owners of all abutting properties on which grading, retaining wall construction, permanent slopes, driveways or other encroachments will occur.
9. The applicant shall cause no easement to be granted, or recorded, over any portion of the subject property between the date of approval of the Tentative Parcel Map and the date of recording of any Parcel Map, unless such easement is approved by the City Engineer.

#### **PARCEL MAPS**

10. Prior to the City's approval of a Parcel Map, the applicant shall furnish accurate AutoCAD files of the Parcel Map that was approved by the City's map checker on a storage media acceptable to the City Engineer. Such files shall be in a standard AutoCAD format so as to be fully retrievable into a basic AutoCAD program.

Where a Parcel Map was not produced in an AutoCAD format, or produced in a file that can be converted to an AutoCAD format, the City Engineer will accept a raster-image file of such Final Map.

#### **IMPROVEMENT PLANS**

As used throughout these Conditions of Approval, professional titles such as "engineer," "surveyor," and "architect," refer to persons currently certified or licensed to practice their respective professions in the State of California

11. The following improvement plans shall be prepared and submitted for review and approval by the City. A separated set of plans for each line item specified below shall be prepared. The plans shall utilize the minimum scale specified, unless otherwise authorized by the City Engineer in writing. Plans may be prepared at a larger scale if additional detail or plan clarity is desired.

- A. On-Site Rough Grading Plan: 1" = 30' Horizontal
- B. On-Site Precise Grading Plan: 1" = 30' Horizontal

Other engineered improvement plans prepared for City approval that are not listed above shall be prepared in formats approved by the City Engineer prior to commencing plan preparation

The applicant may be required to prepare other improvement plans required by other agencies and utility purveyors

"Rough Grading" plans shall normally include perimeter walls with Top Of Wall & Top Of Footing elevations shown. All footings shall have a minimum of 1-foot of cover, or sufficient cover to clear any adjacent obstructions.

12. The City maintains standard plans, detail sheets and construction notes for elements of construction. For a fee, established by City Resolution, the applicant may purchase such standard plans, detail sheets and/or construction notes from the City.
13. The applicant shall furnish a complete set of the AutoCAD files of all approved plans on a storage media acceptable to the City Engineer. The files shall be saved in a standard AutoCAD format so they may be fully retrievable through a basic AutoCAD program.

At the completion of construction, and prior to the final acceptance of the improvements by the City, the applicant shall update the AutoCAD files in order to reflect the as-built conditions.

Where the improvement plans were not produced in a standard AutoCAD format, or a file format that can be converted to an AutoCAD format, the City Engineer will accept raster-image files of the plans.

#### **IMPROVEMENT SECURITY**

14. Prior to the approval of any Parcel Map, the applicant shall install survey monuments and satisfy its obligations for same, or shall furnish a fully secured and executed Subdivision Improvement Agreement ("SIA") guaranteeing installation of the survey monuments or shall agree to any combination thereof, as may be required by the City.
15. Any Subdivision Improvement Agreement ("SIA") entered into by and between the applicant and the City of La Quinta, for the purpose of guaranteeing the completion of any improvements related to this Tentative Parcel Map, shall comply with the provisions of Chapter 13.28 (Improvement Security), LQMC.

16. Improvements to be made, or agreed to be made, shall include the removal of any existing structures or other obstructions which are not a part of the proposed improvements; and shall provide for the setting of the final survey monumentation.
17. Depending on the timing of the development of this Tentative Parcel Map, and the status of the off-site improvements at the time, the applicant may be required to: (1) construct certain off-site improvements, (2) construct additional off-site improvements, subject to the reimbursement of its costs by others, (3) reimburse others for those improvements previously constructed that are considered to be an obligation of this tentative tract map, (4) secure the costs for future improvements that are to be made by others, or (5) to agree to any combination of these means, as the City may require.

In the event that any of the improvements required for this development are constructed by the City, the applicant shall, prior to the approval of the Parcel Map, or the issuance of any permit related thereto, reimburse the City for the costs of such improvements.

18. If the applicant elects to utilize the secured agreement alternative, the applicant shall submit detailed cost estimates for the final survey monumentation, for checking and approval by the City Engineer. Such estimates shall conform to the unit cost schedule adopted by City resolution, or ordinance.

For items not listed in the City's unit cost schedule, the proposed unit costs shall be approved by the City Engineer.

At the time the applicant submits its detailed cost estimates for conditional approval of the Parcel Map by the City Council, the applicant shall also submit one copy each of an 8-1/2" x 11" reduction of each page of the Final Map, along with a copy of an 8-1/2" x 11" Vicinity Map.

Estimates for improvements under the jurisdiction of other agencies shall be approved by those agencies and submitted to the City along with the applicant's detailed cost estimates.

Security will not be required for telephone, natural gas, or Cable T.V. improvements.

19. Should the applicant fail to satisfy its obligations for the development in a timely manner, the City shall have the right to halt issuance of building permits, and/or final building inspections, withhold other approvals related to the development of the project, or call upon the surety to complete the improvements.



changes to the City Staff for a substantial conformance finding review.

26. Prior to the issuance of a building permit for any building lot, the applicant shall provide a lot pad certification stamped and signed by a qualified engineer or surveyor.

Each pad certification shall list the pad elevation as shown on the approved grading plan, the actual pad elevation and the difference between the two, if any. Such pad certification shall also list the relative compaction of the pad soil. The data shall be organized by lot number, and listed cumulatively if submitted at different times.

### **DRAINAGE**

27. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
28. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.
29. Storm water handling shall conform with the approved hydrology and drainage report prepared for The Quarry subdivision. Nuisance water shall be disposed of in the existing drainage system.

### **UTILITIES**

30. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.
31. The applicant shall obtain the approval of the City Engineer for the location of all utilities within any right-of-way, and all above-ground utility structures including, but not limited to, traffic signal cabinets, electric vaults, water valves, and telephone stands, to ensure optimum placement for practical and aesthetic purposes.
32. Underground utilities shall be installed prior to overlying hardscape. For installation of utilities in existing improved streets, the applicant shall comply with trench restoration requirements maintained, or required by the City Engineer.
33. The applicant shall provide certified reports of all utility trench compaction for approval by the City Engineer.

### **STREET AND TRAFFIC IMPROVEMENTS**

34. The applicant shall comply with the provisions of Section 13.24.100 (Access For Individual Properties And Development), LQMC.
35. General access to and from the Tentative Parcel Map area shall be Tom Fazio Lane South and other existing road connected to it.
36. The applicant shall extend improvements beyond the subdivision boundaries as needed to ensure they safely integrate with existing improvements.

### **LANDSCAPING**

37. The applicant shall comply with Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans), LQMC.
38. The applicant shall provide landscaping in the required setbacks, retention basins, common lots and park areas.

### **QUALITY ASSURANCE**

39. The applicant shall employ construction quality-assurance measures that meet with the approval of the City Engineer.
40. The applicant shall employ, or retain, qualified engineers, surveyors, and such other appropriate professionals as are required to provide the expertise with which to prepare and sign accurate record drawings, and to provide adequate construction supervision.
41. The applicant shall arrange for, and bear the cost of, all measurements, sampling and testing procedures not included in the City's inspection program, but which may be required by the City, as evidence that the construction materials and methods employed comply with the plans, specifications and other applicable regulations.

### **MAINTENANCE**

42. The applicant shall comply with the provisions of Section 13.24.160 (Maintenance), LQMC.
43. The applicant shall make provisions for the continuous and perpetual maintenance of all private on-site improvements, perimeter landscaping, access drives, and sidewalks.

### **FEES AND DEPOSITS**

44. The applicant shall comply with the provisions of Section 13.24.180 (Fees and Deposits), LQMC. These fees include all deposits and fees required by the City for plan checking and construction inspection. Deposits and fee amounts shall be those in effect when the applicant makes application for plan check and permits.

### **FIRE MARSHALL**

45. Driveways less than 150 feet in length may be 20 feet wide, no turn-around or turnout is required.
46. Turn-around must be within 50 feet of the building.
47. Access must not exceed a grade of 15%.
48. There shall be a standard fire hydrant within 250 feet of the driveway.
49. The fire hydrants shall be available and capable of providing 1000 GPM fire flow prior to any combustible materials being placed on site.

### **COACHELLA VALLEY WATER DISTRICT**

50. Plans for stormwater protective works shall be submitted to the District for review.
51. The District will furnish domestic water and sanitation service to this area in accordance with the current regulations of this District. These regulations provide for the payment of certain fees and charges by the subdivider and said fees and charges are subject to change.
52. This area shall be annexed to Improvement District Nos. 55 and 82 of the District for sanitation service.
53. Plans for grading, landscaping, and irrigation systems shall be submitted to the District for review. This review is for ensuring efficient water management.

### **MISCELLANEOUS**

54. The driveway easement shown on the Parcel Map for Parcel No. 1 shall be changed to become part of the lot, and have a minimum of 20 feet in width.



Planning Commission Resolution 2003-044  
Conditions of Approval – Adopted  
Tentative Parcel map 31253- Winchester Development  
Adopted: June 24, 2003

55. The remainder parcel shall be designated as a lettered lot and restricted to Golf Course/Open Space
56. The proposed homes shall be limited to a height of 22 feet and one story.
57. The developer shall comply with the mitigations found in Environmental Assessment 2002-458, as they pertain to this development.
58. A site development permit is required prior to the construction of any homes on the two lots. The application shall include the delineation of the footprints, the architectural elevations, and a viewshed study.